

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:04CV120-1-V

TERRY DARRELL LEFEVERS,)
)
 Petitioner,)
)
 v.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

ORDER

THIS MATTER is before this Court upon its own motion.

On September 3, 2004, Petitioner filed the instant Motion to Vacate, Set Aside, or Correct Sentence. In his Motion to Vacate, Petitioner alleges that he received ineffective assistance of counsel because his counsel, due to his friendship with the district attorney, advised him not to provide federal law enforcement authorities with any information that would incriminate the local district attorney. Petitioner contends that as a result of his following this advice he failed to receive a 5K1.1 motion. On June 7, 2005, the Government filed a Motion for Summary Judgment. Petitioner filed a reply on July 28, 2005.

A review of Petitioner's case reveals that Petitioner has not specified the relief he seeks. This Court will now give Petitioner twenty days in which to inform the Court precisely what relief he is seeking and the authority upon which he bases this relief. The Government will then have seven days in which to respond to Petitioner's filing.

THEREFORE, IT IS HEREBY ORDERED that:

1. Within twenty days of the filing of this Order Petitioner must file with the Court a document specifying the relief he is seeking and his legal basis for seeking that relief; and
2. The Government has seven days from the date of Petitioner's filing in compliance with this Order in which to respond to Petitioner's filing.

Signed: September 14, 2006

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

